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 Foods Co. and Only What You Need, Inc.*

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

EMMETT ENRIQUES, individually and
 on behalf of all other similarly situated,

 Plaintiff,

 v.

 ONLY WHAT YOU NEED, INC., a
 Delaware Corporation; THE SIMPLY
 GOOD FOODS COMPANY, a Delaware
 Corporation; AND DOES 1 THROUGH
 70, INCLUSIVE,

 Defendants.

Case No. 2:24-cv-08969-GW-BFM

**DECLARATION OF BRAD
 MOOSE IN SUPPORT OF
 DEFENDANTS THE SIMPLY
 GOOD FOODS COMPANY AND
 ONLY WHAT YOU NEED, INC.'S
 OPPOSITION TO PLAINTIFF'S
 MOTION FOR LEAVE TO FILE
 FIRST AMENDED CLASS
 ACTION COMPLAINT**

Date: June 26, 2025

Time: 8:30 a.m.

Judge: Hon. George H. Wu

1 I, Brad Moose, declare:

2 1. I am the Chief Operating Officer of Only What You Need, Inc.
3 (“OWYN”). I make this declaration based on personal knowledge, and if called
4 upon to testify, I could and would testify competently thereto.

5 2. OWYN is an innovative food and beverage company that sells plant-
6 based protein shakes and powders that are free from major allergens, including dairy
7 and soy.

8 3. OWYN sells multiple different types of ready-to-drink protein shakes,
9 including the original shake and the “Pro Elite High Protein Shake.”

10 4. OWYN’s ready-to-drink protein shakes come in chocolate, vanilla, and
11 a variety of other flavors.

12 5. OWYN’s protein shakes are manufactured at different facilities across
13 the country. In particular, the 330 milliliter Pro Elite shakes, which are sold in Tetra
14 Pak® paper-based packaging, are manufactured in different facilities than the 355
15 milliliter Pro Elite shakes, which are sold in plastic bottles.

16 6. OWYN’s protein shakes are made from natural, plant-based ingredients,
17 including a proprietary pea protein blend.

18 7. Due to the natural variations in plant-based ingredients, OWYN faced
19 significant challenges maintaining consistent texture in its shakes when it first began
20 implementing large-scale productions.

21 8. When batches of shakes were overly thick, some manufacturers diluted
22 the shakes with small amounts of water to match the consistency consumers
23 expected, which led to small variations in the protein and other nutrient content in
24 those batches. Only a limited number of batches were affected, and they were
25 produced in different locations across the United States.

26 9. OWYN worked diligently to address this issue by reformulating the
27 product a number of times to achieve uniform consistency and nutrient contents.
28

1 10. OWYN now maintains consistent and accurate nutrient contents across
2 its shakes.

3 I declare under penalty of perjury under the laws of the United States that the
4 foregoing is true and correct.

5
6 Dated: June 5, 2025

DocuSigned by:
Brad Moose
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Brad Moose